

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 25

August 10, 2001

SUBJECT: SEARCH WARRANT AND PROBABLE CAUSE ARREST WARRANT PROCEDURES

PURPOSE: The United States Department of Justice and the City of Los Angeles have entered into a legally binding agreement known as the Consent Decree. As part of that Decree, the Department is required to establish greater controls for all search warrants and Probable Cause Arrest Warrants (Ramey warrants).

As part of the investigative process, officers may seek judicial approval to arrest a person or search a place, vehicle, or person. Search warrants can be submitted directly to a judge and, unlike Ramey warrants obtained through a prosecutor, do not have a case or tracking number assigned until after service is effectuated. Tracking and monitoring all warrants creates greater accountability and stronger management controls for this process.

This Order establishes a procedure for tracking and monitoring the service of all search warrants and Ramey warrants.

PROCEDURE: All Department personnel involved in the service (including the planning and debriefing stage) of a search or Ramey warrant shall comply with the instructions set forth in the *Search Warrant Service Procedures Guide*, prepared by Investigative Analysis Section, Operations-Headquarters Bureau.

I. WARRANT TRACKING LOG, FORM 08.17.05 - ACTIVATED.

A. Use of Form. This form is maintained by each operations support division and specialized operational division commanding officer to track Department-generated search or Ramey warrants.

Note: A new Form 08.17.05 shall be generated each deployment period irrespective of how many warrants were logged.

B. Completion. This form is self-explanatory and entries shall be made by the officer obtaining either a search or Ramey warrant.

C. Distribution.

- 1 - Original maintained at the respective Area/specialized division

1 - TOTAL

A new Warrant Tracking Log (Log) will be started for each deployment period. The completed Log shall be maintained at the Area/specialized division for two calendar years, after which it shall be stored in accordance with the Department's record retention procedure.

II. OFFICER'S RESPONSIBILITY. An officer intending to obtain a search or Ramey warrant shall:

- * Review the investigation with his/her immediate supervisor; and,
- * Consult with an on-duty investigative supervisor from the investigative entity responsible for the follow-up investigation.

When the officer's supervisor agrees that a search or Ramey warrant is the next appropriate step, the officer shall complete the warrant affidavit and supporting documentation, and submit these documents to his/her supervisor for review and approval. When approved, the officer shall record the appropriate information on the Log.

Note: When information such as the Division of Records (DR) number, case number, search warrant number, or booking number is not available, that information shall be entered on the Log as soon as it becomes available.

After the warrant information has been recorded on the Log, the officer may submit the affidavit and supporting documentation for issuance of a warrant.

Note: When a Ramey warrant is not served, the officer who obtained the warrant shall comply with Manual Section 4/725.12 regarding Probable Cause Arrest Warrants.

III. SUPERVISOR'S RESPONSIBILITY. A supervisor shall review each request for a search or Ramey warrant and all reports

prepared in support of the warrant application. Such review shall include:

- * A review for completeness of the information contained within the documents and for authenticity to ensure the warrant does not contain any "canned" language, inconsistent information, or fail to articulate the legal basis for the warrant;
- * A review of the information on the application and affidavit, where applicable, to determine whether the warrant is appropriate, legal, and in conformance with Department procedure;
- * A review of the officer's plan for executing the warrant;
- * Initialing the bottom of each page of the warrant affidavit;
- * Ensuring a supervisor (Sergeant I, Detective II, or higher) or, for Special Enforcement Units (SEU), the operations support division commanding officer, or in his/her absence a lieutenant or higher ranking officer, is present at the execution of the warrant;
- * Ensuring the Log is completed and properly updated; and,
- * After service of the warrant, and no later than the next working day, conduct a debriefing of the warrant service with involved personnel.

IV. COMMANDING OFFICER'S RESPONSIBILITY. The commanding officer of each operations support division and specialized operational division shall:

- * Maintain the Log for their command in the Area or specialized division office;
- * Ensure that each search and Ramey warrant prepared under his/her command is recorded and properly updated on the Log.

Additionally, within one week of serving a search or Ramey warrant, the commanding officer shall:

- * Analyze the circumstances surrounding the presence of a supervisor during the service of the warrant;
- * Determine if the supervisor's response to the incident or service was appropriate; and,
- * Include any observations or comments in the written debriefing critique prepared by the case agent or designated supervisor.

FORM AVAILABILITY: The Warrant Tracking Log, Form 08.17.05, will be available for ordering from the Department of General Services, Distribution Center, in about 90 days, and will be placed on the Department's Local Area Network. A copy of the form is attached for duplication and immediate use.

AMENDMENTS: This Order amends Section 4/742.30 and adds Sections 4/742.10 and 5/08.17.05 to the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Criminal Intelligence Group, shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30.

BERNARD C. PARKS
Chief of Police

Attachment

DISTRIBUTION "A"